United Nations A/61/694

General Assembly

Distr.: General
10 January 2007

Original: English

Sixty-first session
Agenda item 124
Joint Inspection Unit

A second review of the implementation of Headquarters agreements concluded by United Nations system organizations: provision of headquarters premises and other facilities by host countries

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Joint Inspection Unit entitled "A second review of the implementation of headquarters agreements concluded by United Nations system organizations: provision of Headquarters premises and other facilities by host countries" (JIU/REP/2006/4).

07-20698 (E) 170107

JIU/REP/2006/4

A SECOND REVIEW OF THE IMPLEMENTATION OF HEADQUARTERS AGREEMENTS CONCLUDED BY UNITED NATIONS SYSTEM ORGANIZATIONS: PROVISION OF HEADQUARTERS PREMISES AND OTHER FACILITIES BY HOST COUNTRIES

Prepared by

Guangting Tang

Joint Inspection Unit

Geneva 2006

United Nations

GE.06-02130

JIU/REP/2006/4

Original: ENGLISH

A SECOND REVIEW OF THE IMPLEMENTATION OF HEADQUARTERS AGREEMENTS CONCLUDED BY UNITED NATIONS SYSTEM ORGANIZATIONS: PROVISION OF HEADQUARTERS PREMISES AND OTHER FACILITIES BY HOST COUNTRIES

Prepared by

Guangting Tang

Joint Inspection Unit

United Nations, Geneva 2006

In accordance with article 11.2 of the JIU statute, this report has been "finalized after consultation among the Inspectors so as to test recommendations being made against the collective wisdom of the Unit".

CONTENTS

		Paragraphs	Page
ABBREVIATIONS			iv
INTRODUCTION		1-6	1
I.	BACKGROUND	7- 12	2
II.	THE NEED TO FOSTER GOOD RELATIONS BETWEEN UNITED NATIONS SYSTEM ORGANIZATIONS AND HOST COUNTRIES	13-17	3
III.	FACILITIES PROVIDED BY HOST COUNTRIES IN THE ACQUISITION OF HEADQUARTERS PREMISES	18-27	5
IV.	FUNDING FOR MAJOR REPAIRS AND REFURBISHMENTS	28-30	6
V.	FORMAL FORUMS TO ENSURE DIALOGUE AND FACILITATE RELATIONS BETWEEN UNITED NATIONS SYSTEM ORGANIZATIONS AND HOST COUNTRIES	31-37	7
VI.	VISA ISSUES	38-41	9
VII.	TAX AND CUSTOMS PRIVILEGES	42-50	10
VIII.	THE PRINCIPLE OF "MOST FAVOURED TREATMENT"	51-55	11
IX.	SECURITY ISSUES	56-60	12
X.	FREEDOM OF MOVEMENT	61-62	14

Annexes

I	Facilities provided in the acquisition and provision of land and headquarters premises for United Nations system organizations	15
II	Facilities provided for the maintenance and refurbishment/ renovation of headquarters premises of United Nations system organizations	21

ABBREVIATIONS

CCCS	Consultative Committee on Common Services (Vienna)
CEB	United Nations System Chief Executives Board for Coordination
CTBTO	Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
DSS	Department of Safety and Security (United Nations)
ECA	Economic Commission for Africa
ECLAC	Economic Commission for Latin America and the Caribbean
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
FAO	Food and Agriculture Organization of the United Nations
H-MOSS	Headquarters Minimum Operating Security Standards
IAEA	International Atomic Energy Agency
IASMN	Inter-Agency Security Management Network
ICAO	International Civil Aviation Organization
ILO	International Labour Organization
IMO	International Maritime Organization
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
MRRF	Major Repairs and Replacements Fund
OHCHR	Office of the United Nations High Commissioner for Human Rights
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UN-Habitat	United Nations Human Settlements Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNOG	United Nations Office at Geneva
UNON	United Nations Office at Nairobi
UNOV	United Nations Office at Vienna
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNV (UNDP)	United Nations Volunteers
UPU	Universal Postal Union
VAT	value added tax
VBO	Vienna-based organization
WFP	World Food Programme
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

Objective: To identify best practices in the provision of headquarters premises and other facilities granted under the headquarters agreements concluded by the United Nations organizations, with the view to contributing to effective and consistent practices and policies throughout the United Nations system.

INTRODUCTION

1. In 2004, the Joint Inspection Unit (JIU) issued a report entitled "Review of the headquarters agreements concluded by the organizations of the United Nations system: human resources issues affecting staff".[1] The objective of that report was to identify areas where adjustments in the headquarters agreements might be advisable, with a particular emphasis on issues related to the reform of human resources management. In follow-up to that initial report, which was well received[2] by the participating organizations, the Unit undertook a second review of headquarters agreements concluded by United Nations system organizations, concentrating on the provision of headquarters premises and facilities other than those relating to human resources management.

2. The present report aims to identify best practices in the provision of premises and implementation of the agreements. It further seeks to contribute to the achievement of consistent standards among organizations and staff in terms of the facilities granted by host counties to assist them in their work. The specific issues addressed in this report include the issuance of visas, matters of taxation, freedom of movement within the host countries and security issues.

3. This second review covers only those agreements that relate directly to main headquarters duty stations of the organizations of the United Nations system, i.e., the United Nations, its funds and programmes, specialized agencies of the United Nations system and the International Atomic Energy Agency (IAEA). Some treaty bodies institutionally linked with the United Nations are also included. The review does not cover headquarters agreements concluded by United Nations organizations in relation to their regional, country, or field offices, such as the Standard Basic Assistance Agreements of the United Nations Development Programme (UNDP), the Model Cooperation Agreements of the United Nations High Commissioner for Refugees (UNHCR), and the Basic Cooperation Agreements of the United Nations Children's Fund (UNICEF). Further, it does not cover the United Nations status-of-mission agreements, which concern peacekeeping missions.

4. The Unit is aware of concerns that arise from these substantially different host country agreements with the specialized agencies, funds and programmes, particularly the disparities between staff members in the same duty station, in terms of the facilities, privileges and immunities that they enjoy. The principle of "most favoured treatment",

---

[1] "Review of the headquarters agreements concluded by the organizations of the United Nations system: human resources issues affecting staff", report of the Joint Inspection Unit (JIU): note by the Secretary-General (A/59/526 of 24 October 2004) (JIU/REP/2004/2).

[2] "Review of the headquarters agreements concluded by the organizations of the United Nations system: human resources issues affecting staff": note by the Secretary-General (A/59/526/Add.1 of 10 February 2005).

recommended in the initial report of the Unit on headquarters agreements (A/59/526 and Add.1), should be taken into account when establishing or redefining standards and when addressing disparities and other concerns about uneven treatment between staff members of United Nations system organizations.

5. In preparing the present report, the Inspector conducted interviews with representatives of a number of United Nations system organizations, including those based in Geneva, Nairobi, New York and Vienna. In order to arrive at a more balanced view of the subject matter, the Inspector also met with representatives of a number of host countries and the Chairman of the Committee on Relations with the Host Country in New York. Additional information for this report was obtained from responses to a JIU questionnaire distributed throughout the system and from official documentation.

6. The Inspector wishes to express appreciation to the staff of those United Nations organizations, funds and programmes, and the specialized and related agencies, who were interviewed, and who responded to the questionnaire for this report.

I. BACKGROUND

7. Headquarters agreements are bilateral agreements between United Nations organizations and the respective host countries in which those organizations are located. These agreements regulate the status of the organizations and their staff within the host countries and provide certain facilities, privileges and immunities to facilitate the work of the organizations.

8. The Charter of the United Nations,[3] the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Agreement on the Privileges and Immunities of the International Atomic Energy Agency[4] provide the legal base upon which most headquarters agreements[5] are concluded and give effect to the relationship between United Nations organizations and their host countries. These multilateral agreements further emphasize the importance of ensuring that international organizations and their staff are granted adequate facilities, privileges and immunities to effectively and independently carry out their duties.

9. The Inspector found that with few exceptions, the headquarters agreements of the organizations of the United Nations are, more or less, identical in terms of structure and content and that there are no concerns regarding the texts of these agreements. The United Nations organizations consulted in connection with this report have all expressed general satisfaction with their respective agreements. Indeed, many consider that their host countries are quite generous in the provision of facilities, privileges and immunities.

10. While there are no concerns about the agreements as such, many organizations have expressed concern about the efficiency and adequacy of implementation and

---

[3] Paragraph 1 of Article 105 of the Charter of the United Nations stipulates that "The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes."

[4] United Nations, *Treaty Series*, vol.1, No. 4, p.15; vol. 33, No. 521, p.261; and vol. 374, No. 5334, p. 147.

[5] One such exception is the International Labour Organization, which pre-dates the United Nations.

interpretation of certain provisions of the agreements in some host countries. In particular, concerns have been expressed about the issuance of visas, provision for the residency status of officials and staff members, exemption from or reimbursement of taxes and customs duties, registration of vehicles, issuance of driving licences and other services, and inadequate safety and security of premises and staff.

11. Many of the interviewees also expressed concern about the tardiness of the authorities in some host countries in processing applications for the reimbursement of taxes, vehicle and driving licence registrations, customs clearance payments, etc. which often hampers the normal functioning of the organizations and incapacitates staff members in the discharge of their duties. They stress that such tardiness in the processing of applications is sometimes tantamount to non-compliance with the provisions of privileges and immunities envisaged in the headquarters agreements.

12. Despite these issues, however, it is noted that neither the organizations nor the host countries themselves would wish to reopen negotiations of the agreements, in view of the lengthy process, involving parliamentary consent, and the uncertainty of the outcome. Both parties favour, instead, the use of supplementary agreements or exchanges of letters to update or enhance the existing agreements, should the need arise.

II. THE NEED TO FOSTER GOOD RELATIONS BETWEEN UNITED NATIONS SYSTEM ORGANIZATIONS AND HOST COUNTRIES

13. Headquarters agreements concluded by United Nations organizations with their host countries constitute the instruments that guarantee the normal relations between these organizations and their respective host countries. Naturally, the implementation of these agreements, in letter and in spirit, becomes imperative for the realization of good normal relations. This calls for compliance from both parties, United Nations organizations and host countries.

14. Therefore, from the very outset, the Inspector wishes to stress that mutual respect and mutual understanding are of the foremost importance in the successful implementation of the headquarters agreements concluded by United Nations organizations and their respective host countries. On the one hand, United Nations organizations and their staff must understand that all the facilities, privileges and immunities granted by host countries are not meant for the personal benefit of staff, but for the purposes of facilitating their work and discharging the professional duties entrusted to them. Executive heads of all United Nations organizations should constantly remind their officials and staff members of their duty to respect the laws, regulations, traditions and habits of the host countries.

15. On the other hand, host countries should be aware that it is to their own prestige, political advantage, and economic benefit to be hosts to United Nations system organizations. Therefore, as hosts, they must accord the United Nations organizations and their officials and staff members the necessary privileges and immunities as well as the facilities and courtesies required in the headquarters agreements and other applicable international instruments, for the smooth functioning of the organizations and for the discharging of their responsibilities.

16. In preparing this report, the Inspector found to his regret that the presence of United Nations organizations is not always properly recognized and appreciated by some people in some host cities/countries. The notion that host countries "give" and the

United Nations organizations "take" seems to be the reason behind this lack of recognition. However, in the view of the Inspector, the presence of the United Nations organizations in host countries should not be considered a "one-way street", which is characterized by one party "giving" and the other party "taking". This attitude is somewhat patronizing, and if not corrected in time, it would hinder the fostering of good relations between United Nations organizations and their host countries. The presence of United Nations organizations in host countries should, instead, be considered a "win-win" affair. While the organizations and their staff members may enjoy the facilities, privileges and immunities accorded by host countries in the interests of the organizations, at the same time and in all fairness, the host countries also gain, both in political and economic terms. Apart from the political prestige that the host countries gain from the presence of the United Nations organizations – which is simply unquantifiable – one must not forget the economic benefits that the host countries gain from their presence.

17. In preparing this report, the Inspector came across the following figures that show, approximately, the economic benefits that the host countries of the four main United Nations headquarters gain annually from the presence of the United Nations organizations.

United Nations Headquarters	**Annual contribution to host economy**
Vienna, Austria	Approx. US$ 582 million (2002)
Nairobi, Kenya	Approx. US$ 350 million (2000)
Geneva, Switzerland	Approx. US$ 3 billion (2003)
New York, United States of America	Several billion United States dollars

Sources: United Nations Information Service, Vienna, Economic benefits derived from international organizations in Vienna; United Nations Office at Nairobi: The United Nations Headquarters in Africa; Switzerland and the United Nations: The 2005 Report of the Federal Council, available on the website of the Permanent Mission of Switzerland to the United Nations and other International Organizations in Geneva (http://www.dfae.admin.ch/geneve) and the Statistical Office of the Canton of Geneva. Regarding figures for the United States, the Inter Press Service News Agency article, "U.S. Gets as Much as it Gives to the U.N." by Thalif Deen, of 9 August 2006, states "According to former New York city Mayor Rudy Giuliani, the United Nations and its agencies … contributed about 3.2 billion dollars annually to the city's economy in the late 1990s". While official figures could not be found, the Inspector has heard estimates currently of up to US$ 6 billion annually.

Recommendation 1

Executive heads of United Nations organizations should remind their officials and staff members of their obligation to be exemplary in respecting the laws, regulations, traditions and habits of the host countries.

Recommendation 2

Legislative bodies of United Nations organizations should:

(a) Remind the host countries of their legal obligations concerning the headquarters agreements and the benefits of the presence of United Nations organizations in their respective countries, and that the full implementation of headquarters agreements is also to their benefit; and

(b) Request their respective executive heads to report back at appropriate intervals on the implementation of the headquarters agreements.

III. FACILITIES PROVIDED BY HOST COUNTRIES IN THE ACQUISITION OF HEADQUARTERS PREMISES

18. Conditions offered by various host countries in the acquisition/provision/refurbishment of headquarters premises for United Nations organizations differ widely. Some organizations were given land free but had to build their premises at their own expense, while many others lease their premises from either the host countries or commercial entities at market prices. Some are provided with interest-free loans for the construction of their buildings, while quite a few host countries offer free use of headquarters premises, or lease premises at a nominal rent, and even offer to share the cost for major repairs and refurbishments of the premises.

19. The annexes to this report show the various conditions offered by host countries in the acquisition, provision, maintenance and refurbishment of headquarters premises for the various United Nations organizations.

20. It can be concluded from the tables in annexes I and II that, in general, there are three different practices in the provision of facilities by host countries, with regard to United Nations organizations headquarters premises.

21. The first is the category in which organizations get little or no substantial financial or in-kind assistance from the host countries. In this case, organizations have to build or rent their headquarters premises at their own expense, and pay for major repairs and refurbishments.

22. In the second category, organizations are provided with headquarters premises free of charge by host countries, or at a nominal rent, and are required to pay only for the day-to-day maintenance and operational charges. Furthermore, the host countries in this category usually pay the cost of major repairs and refurbishments of the headquarters premises. In certain cases, host countries are generous enough to provide, at their own cost, equipment, appliances and furniture, or provide services such as gardening.

23. The third category falls somewhere in between the two. The host countries in this category may provide the organizations with land, or the free use of land, and/or with loans (interest free or at low interest) for the construction of headquarters premises; or they may provide premises at a subsidized rent. Some host countries share the cost of major repairs and refurbishments of the premises. In other cases, the organizations have to bear the entire cost of major repairs and refurbishments.

24. As mentioned above, considering the political prestige as well as economic benefits that host countries may gain from the presence of United Nations organizations, the Inspector is strongly of the view that executive heads should negotiate with and convince the host countries, especially the economically developed countries, to provide more generous facilities in the acquisition, provision and refurbishment of headquarters premises of United Nations organizations.

25. In this regard, the Inspector was informed that the Swiss authorities have expressed their willingness to consider favourable commercial terms for the consolidation of office space within the Palais des Nations perimeter to host UNHCR, the Office of the United Nations High Commissioner for Human Rights (OHCHR), and other secretariat bodies, if the need arises.

26. In this connection the Inspector wishes just to say a few words concerning the capital master plan – the plan for the major refurbishment of the United Nations Headquarters

complex in New York. The Inspector notes that Member States of the United Nations had been gratified to hear, in 2002, that the City of New York was considering the construction of a new building, known as UNDC-5, as swing space, but were later disappointed to learn that the project could no longer be pursued. This abortive plan made a negative impact on the whole capital master plan.

27. The Inspector also notes that in 2005 the host country formalized its offer of a US$ 1.2 billion loan at an interest rate of 5.54 per cent for up to 30 years.[6] However, the General Assembly has not taken any decision on this offer. The Inspector further notes that the representative of the host country verbally advised the Fifth Committee of the General Assembly in September 2005 that "the capital master plan-related loan offer would be renewed and adjusted".[7] While appreciating the offer, the Inspector hopes that the host country would consider a more generous offer in this regard. However, it is noted that other funding mechanisms for the capital master plan are also being considered.

Recommendation 3

Executive heads of the United Nations system organizations should negotiate with and encourage the host countries to provide more generous facilities to the organizations in the acquisition or refurbishment of their headquarters premises by, for example, providing premises free of charge, or providing interest-free loans or sharing costs.

IV. FUNDING FOR MAJOR REPAIRS AND REFURBISHMENTS

28. Some United Nations organizations, such as the International Labour Organization (ILO), World Health Organization (WHO), World Meteorological Organization (WMO) and International Maritime Organization (IMO), have set aside special funds in their respective regular budgets for major repairs and refurbishments of their headquarters premises, to ensure that necessary financial resources are available when the need arises. Indeed, the original agreement concluded between the Vienna-based organizations (VBOs) and Austria also provides for the establishment of a separate common fund for refurbishment, known as the Major Repairs and Replacements Fund (MRRF), to which all signatories are to contribute annually. Additionally, VBOs created a special account for alterations or refurbishment not covered by MRRF, to which each VBO contributes, and the unspent balance of which is not subject to return to Member States at the end of each biennium. This special account allows for multi-year alteration or refurbishment projects to operate smoothly.

29. The Inspector considers this a good practice, which ensures that the necessary financial resources are available when the time comes for major repairs and refurbishments. It is therefore recommended that organizations bearing the full cost or part of the cost of their major repairs and refurbishments should establish such a fund, if they have not yet done so.

30. In this context, the Inspector also noted that the United Nations regular budget did contain a section for the same purpose for the United Nations Headquarters in New York. However, funds allocated in recent bienniums have, in the light of the projected

---

[6] Capital master plan: report of the Secretary-General (A/59/441/Add.1 of 20 May 2005).

[7] Third annual progress report of the Secretary-General on the implementation of the capital master plan (A/60/350 of 11 November 2005 and A/60/550/Corr.1 and 2 and Add.1).

implementation of the capital master plan, been kept to a minimum. The result has been the further deterioration and malfunction of the facilities.

Recommendation 4

Legislative bodies of those United Nations system organizations that bear the full cost or part of the cost of major repairs and refurbishments of their headquarters premises should establish a special fund to ensure adequate financial resources for such repairs and refurbishments in their regular budgets, if they have not yet done so.

V. FORMAL FORUMS TO ENSURE DIALOGUE AND FACILITATE RELATIONS BETWEEN UNITED NATIONS SYSTEM ORGANIZATIONS AND HOST COUNTRIES

31. The Committee on Relations with the Host Country[8] at United Nations Headquarters plays a very positive "buffer" role in the relations between the host country and the diplomatic community in New York and the United Nations organizations as a whole. The Committee, formally established in 1971 pursuant to General Assembly resolution 2819 (XXVI) of 15 December 1971, deals with a range of issues concerning relations with the host country, such as the security of missions and their personnel, issuance of visas, immigration and customs procedures, taxation matters, diplomatic indebtedness, housing, transportation and parking issues, insurance, educational and health-care matters, etc.

32. The Inspector was informed that whenever an issue arises and is brought to the attention of the Committee, in connection with the interpretation and implementation of the headquarters agreement, the Chairman of the Committee takes it upon himself to conduct a fact-finding exercise in order to determine what really happened, and then duly conveys the concerns of the mission(s) concerned to the representatives of the host country. Satisfactory solutions may sometimes be reached through such mediation, and issues can thus be "nipped in the bud", depending on the nature and magnitude of the issue. Otherwise, the Committee calls a meeting at which representatives of the host country as well as the missions concerned are invited to air their views, and the Committee tries to find a solution in an open, frank, constructive manner and in the spirit of compromise. In both cases, the "buffer" role of the Committee is always well recognized and highly appreciated, by both the host country and the diplomatic community in New York.

33. There are forums of a somewhat similar nature in other major United Nations duty stations such as Geneva, Nairobi and Vienna. The Diplomatic Committee in Geneva,[9] established in 1989, acts as a consultative body and uses its good offices to promote best relations with the host country in solving issues relating to the status of Permanent Missions and representatives of Members States. It meets periodically and whenever convened by the Chairman or at the request of a Member State or the Director-General of the United Nations Office at Geneva (UNOG). The meetings are informal and conference services are provided by UNOG as a matter of courtesy. However, its

---

[8] The Committee is composed of 19 Member States, and since 1971, has been chaired by successive Permanent Representatives of Cyprus.

[9] According to the Statute of the Diplomatic Committee, approved during the meeting of 13 September 1989, "the Committee shall be composed of two representatives, at ambassadorial level, nominated by each regional group, plus the representative of China".

function and the matters with which it is concerned are similar to those of the Committee on Relations with the Host Country in New York. UNOG has indicated that it is satisfied with the current mechanism in its relationship with the host country, which was inherited directly from the League of Nations.

34. The Nairobi Host Country Liaison Committee is a formal committee, which is chaired by the Permanent Secretary of the Ministry of Foreign Affairs of the Government of Kenya. The Nairobi City Council is also represented on the Committee. The Committee meets to discuss issues of mutual concern to the host country and the United Nations organizations in Nairobi. However, the Inspector was informed that the United Nations organizations in Nairobi are the primary focus of the Committee, while Permanent Missions in Nairobi are not invited, even as observers. It was agreed only recently that the dean of the diplomatic community could participate in the Committee as an observer.

35. Likewise, the Vienna-based United Nations organizations established the Consultative Committee on Common Services (CCCS), which is not the same as the aforementioned committees on relations with host countries, but to some extent serves a similar purpose. Matters of common administrative concern to VBOs are first discussed in CCCS so that a common approach is arrived at before such administrative concerns are brought to the attention of the host country. Common issues are therefore addressed through a common approach with the Austrian authorities, but not in the context of a committee comprising the diplomatic communities, the United Nations organizations and the host country.

36. In addition, the Inspector was informed that in March 2006, the governing bodies of the United Nations World Tourism Organization in Madrid decided to establish a Joint Headquarters Committee to address and resolve issues arising out of the implementation of the headquarters agreement.

37. The Inspector considers that the Committee on Relations with the Host Country in New York provides an excellent forum in which to address concerns regarding the proper interpretation and efficient implementation of headquarters agreements, facilitating best relations between the United Nations organizations and their officials and staff members as well as diplomatic missions with the host countries. As a mandated entity, the Committee in New York can issue resolutions that give its decisions legal authority. Similar committees in other headquarters, if properly mandated, would also have the authority to issue resolutions and would be ensured the provision of conference services. The Inspector believes that mandated host country relations committees would have added weight and credibility in tackling issues of common concern and facilitating good relations with the host countries.

Recommendation 5

Legislative bodies of United Nations organizations headquartered in the same host country should:

(a) Consider establishing a joint formal forum, similar to the Committee on Relations with the Host Country in New York, to enhance relations with the host country; and

(b) Ensure that adequate resources are allocated from their regular budget to support the establishment and proper functioning of this formal forum.

Recommendation 6

The General Assembly should request the Secretary-General to direct the Directors-General of the United Nations Offices at Nairobi and Vienna to coordinate the establishment of such joint forums, in collaboration with the host countries and other United Nations organizations headquartered in their duty stations.

VI. VISA ISSUES

38. The Unit has already dealt with the issuance of visas by host countries in its first report on the review of headquarters agreements concluded by United Nations organizations. However, given that this issue remains one of the major concerns of the United Nations organizations and their staff, the Inspector is obliged to reiterate a few points.

39. Indeed, no one would deny the obligation of host countries to grant visas for officials and staff of United Nations organizations, free of charge and as speedily as possible. However, in reality, organizations indicated cases of excessive delays and unsubstantiated denials regarding the issuance of visas for some staff members, experts and officials of certain nationalities travelling to the United Nations Headquarters in New York, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and, in some cases, the United Nations Office at Nairobi. Regarding requests for visas to New York, representatives of the Permanent Mission of the United States to the United Nations indicated that any delays or denials in the issuance of visas are primarily due to security checks and are not specifically targeted at any particular person or nationality.

40. The Inspector fully understands, and has no objection whatsoever to, the need for security screening by host countries in processing visa applications from officials and staff members of United Nations organizations. It is, indeed, in the interests of host countries, as well as United Nations system organizations and their staff, to make security checks, particularly in the light of increasing global security concerns. However, this should not impede the timely processing of visa applications, especially of those staff and officials of United Nations organizations who have previously been granted visas by the same host countries. The Inspector wishes to point out that such cases of repeated delays or denials of visas are somewhat hard to understand and accept as simply due to reasons of national security.

41. In this connection, the Inspector cannot but reiterate the substance of the recommendation of the Unit in its first report.

Recommendation 7

Executive heads of United Nations system organizations should:

(a) Remind the host countries of their obligations under the headquarters agreements to issue visas free of charge and in a timely fashion to staff and officials of United Nations organizations;

(b) Encourage host countries to establish a reasonable time frame for the processing of visas, in collaboration with the organizations, so as to avoid delays and denials in the issuance of visas, especially to those officials and staff members who have been previously granted visas; and

(c) Report back to the legislative bodies on progress made in this regard.

VII. TAX AND CUSTOMS PRIVILEGES

42. All staff members of United Nations system organizations, in accordance with the headquarters agreements, enjoy exemption from taxes on their salaries, emoluments and allowances paid to them by the organizations. Moreover, senior staff members at P-5 level (in Geneva for instance) and above also enjoy the privileges and immunities accorded to diplomatic representatives by host countries in all duty stations with the exception of New York, where such privileges and immunities are accorded only to staff at the level of Assistant Secretary-General and above.

43. In addition to the above-mentioned, United Nations staff members with diplomatic privileges are also exempted from the payment of indirect taxes, such as value added tax (VAT), on articles purchased and services supplied for their personal use. Some host countries are somewhat more generous in granting privileges and immunities to staff members of United Nations organizations. The Government of Kenya, for example, extends the following privileges to international staff of the United Nations Office at Nairobi (UNON), the United Nations Environment Programme (UNEP) and the United Nations Human Settlements Programme (UN-Habitat), who have contracts of one year or longer, irrespective of grade: VAT-exempt and duty-free fuel; and the duty-free import of vehicles, personal and household effects. In addition, locally recruited staff may also have access to limited duty-free purchases at the United Nations commissary in Nairobi.

44. Senior staff members of United Nations organizations are usually not exempted from local charges, levies, fees, tolls and service charges, etc. However, disputes sometimes arise between host countries and United Nations organizations and their staff over this matter. Senior staff consider some payments to be taxes that they should not be asked to pay, while host countries argue that they are not taxes, but charges or levies for services rendered, and that senior staff should not be exempted from paying them.

45. For example, when meeting with colleagues from IMO in London, the Inspector was informed that the London municipal authorities have introduced the "congestion charge", and have applied this to the official vehicles of the diplomatic community within a designated area of London. This has raised some concerns among the diplomatic missions in London. Officials of the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland later confirmed that the Government had considered whether the United Kingdom was under an obligation to exempt diplomatic missions and international organizations from paying the charge. The Government concluded that they should not be exempt since the congestion charge comes under the same category as parking fees or toll charges, which diplomatic missions and international organizations are required to pay. The Government sees no legal grounds for exempting missions, international organizations and their staff from the scheme. The Inspector was also informed about the "climate change levy", a tax on the use of energy in industry, commerce and the public sector, which applies to United Nations organizations and the diplomatic community in London as well. Discussions are under way in the Government to implement a refund of the levy.

46. There are also wide discrepancies among host countries in handling the purchase or importation of duty-free vehicles, e.g., while diplomatic staff in Austria may buy duty-free cars and sell such cars after two years without paying taxes, in Switzerland it may

take up to six years. For the organizations pursuing the staff mobility policy, the latter practice may present a growing problem.

47. Another example is the issue of the radio and television reception charge in Geneva. Since 1997, officials and staff members of United Nations organizations in Geneva who enjoy diplomatic status have been required to pay the radio and television reception charge, which causes much concern among officials of many organizations in Geneva. The Inspector came to understand that diplomatic missions in Geneva and their staff members, whether diplomatic or not, are all granted an exemption of the radio and television charge. When asked about the rationale behind the differentiation between diplomats of the missions and the officials of the organizations who are entitled to the same diplomatic status, the Swiss hosts explained that the exemption is granted only on reciprocity, so that Swiss diplomatic personnel posted abroad are likewise not required to pay similar charges in their various duty stations.

48. The Inspector finds it difficult to understand the rationale why officials of the United Nations organizations in Geneva who are entitled to diplomatic status should be treated differently, and even harder to understand why they – who are supposed to enjoy full diplomatic status – should pay this radio and television charge, while non-diplomatic staff members in the missions are granted an exemption. In this connection, the Inspector would like to mention that years ago, there was a similar radio and television reception charge in Vienna, but later the Austrian authorities decided to exempt United Nations organization staff from paying it. The Inspector considers this a good development, which the Swiss authorities may wish to consider.

49. The Inspector notes that there is also a need for the simplification of the procedures for exemptions from VAT and other taxes in Switzerland.

50. It appears to the Inspector that to some extent, all such issues concerning taxation may find their root cause in the confusion originating from a lack of clear definitions or varying interpretations of such terms as "direct and indirect taxes", "charges", "levies", "fees" and "tolls". Therefore, a study should be undertaken, in consultation with the host countries, to clarify these terms and ensure that the definitions are used consistently in the context of headquarters agreements. The United Nations System Chief Executives Board for Coordination (CEB) should consider reviewing this issue.

Recommendation 8

The United Nations System Chief Executives Board for Coordination (CEB) should regularly review the practical implementation of privileges and immunities granted to international organizations, especially as far as the interpretation of such terms as "direct and indirect taxes", "charges", "levies" and "fees" is concerned, so as to ensure their uniform application by host countries in the context of headquarters agreements.

VIII. THE PRINCIPLE OF "MOST FAVOURED TREATMENT"

51. The importance of adhering to the principle of "most favoured treatment" in granting diplomatic privileges and immunities to the United Nations organizations has also been dealt with in the first report of the Unit. The Inspector notes with gratification that, on the whole, this principle prevails in most of the United Nations major duty stations, as far as the main headquarters offices of the organizations are concerned.

52. However, concerns still remain about the different treatment of staff members who are serving in the host country, not at their headquarters, but at regional, local or country offices of the United Nations organizations. A salient example can be found in Nairobi. The Inspector was informed, when meeting with colleagues from UNON, UNEP and UN-Habitat, that staff members of those regional, local or country offices of other specialized agencies of the United Nations system operating in Nairobi are not granted the same privileges and immunities that they themselves enjoy. This has naturally led to a situation in which colleagues who are of the same United Nations family, at the same rank, working side by side in practically the same field and same environment, and, indeed, in the same host country, are treated differently. The demoralizing effect as a result of this dissimilar treatment is certainly something not hard to imagine.

53. It is the view of the Inspector that legislative bodies of the United Nations organizations should reiterate with host countries the importance of adhering to the principle of "most favoured treatment" in granting privileges and immunities to officials and staff members of the specialized agencies of the United Nations system in the same duty station, whether they are operating from their headquarters or regional, local and country offices.

54. In this connection, the Inspector also wishes to point out that Nairobi occupies a very unique and important position throughout the whole United Nations family. Practically all United Nations funds and programmes, and all the specialized agencies, have their presence in Nairobi, which boasts the only United Nations Office in the developing world. This should be a great asset and a source of pride to the city of Nairobi, indeed, to the host country. Considering that staff members of all the specialized agencies of the United Nations system operating in Nairobi are mostly engaged in the fields of social and economic development and the human rights sector, one may conclude that resolving the issue mentioned in the above paragraphs will benefit the host country, as well as staff members of those United Nations organizations.

55. The Inspector was very gratified to be further informed, at the time of finalizing this report, that the Government of Kenya had recently agreed to harmonize and extend the privileges of the host country agreement of UNON, UNEP and UN-Habitat to all the organizations and specialized agencies of the United Nations system represented in Kenya, and that UNON was expecting the transmission of the agreement in writing in July/August 2006. As this is still pending, the Inspector would like to keep the following recommendation in the report, and would be only too glad if it should be overtaken by events by the time this report is officially issued.

Recommendation 9

The Secretary-General should direct the Director-General of the United Nations Office at Nairobi to pursue his efforts to negotiate with the host country to establish the practice of "most favoured treatment", as applied in other duty stations, with the view to ensuring common standards in the application of facilities, privileges and immunities granted to all United Nations officials and staff members in Nairobi, whether they are operating there from headquarters, or regional, local and country offices.

IX. SECURITY ISSUES

56. In the light of increasing global security concerns among the international community, and especially since the establishment of the Department of Safety and Security in the

Recommendation 10

The legislative bodies of United Nations organizations should:

(a) Allocate appropriate financial resources to ensure adequate and realistic security facilities in all their duty stations; and

(b) Remind host countries of their obligation to provide adequate security for United Nations organizations premises and staff.

Recommendation 11

The Secretary-General should direct the Department of Safety and Security to:

(a) Review H-MOSS with a view to formulating more realistic and practicable security requirements for adoption by the Inter-Agency Security Management Network (IASMN); and

(b) Develop guidelines, in collaboration with those organizations renting commercial facilities, and those that lease office space in their headquarters premises to non-United Nations entities, for the application of H-MOSS to their specific circumstances.

X. FREEDOM OF MOVEMENT

61. The freedom of movement of officials of United Nations organizations is also one of the issues often raised at the Committee on Relations with the Host Country in New York. Responses to the questionnaire in connection with this report indicate that some United Nations system organizations located in other jurisdictions, notably UNRWA, also experience this problem.

62. The Inspector notes with appreciation that some travel restrictions previously imposed on staff of certain missions and United Nations officials of certain nationalities in New York have recently been removed.[12] However, as such limitations on the freedom of movement constitute discrimination against members of certain nationalities and potentially impede the work of the United Nations organizations, all remaining restrictions in this regard should be removed.

Recommendation 12

The Secretary-General should continue to urge the host countries to abide by their obligations as contained under the headquarters agreements and allow full access and freedom of movement of all officials and staff members of the United Nations, so as to facilitate the full functioning of the organization.

---

[12] General Assembly resolution 60/24 of 23 November 2005.

Annex I

FACILITIES PROVIDED IN THE ACQUISITION AND PROVISION OF LAND AND HEADQUARTERS PREMISES FOR UNITED NATIONS SYSTEM ORGANIZATIONS

Host country	Organization	Land			Premises		
		Host country	Organization	Private	Host country	Organization	Private
Austria	CTBTO[13]				One Austrian schilling per year.		
	IAEA[14]				One Austrian schilling per year (indefinitely).		
	UNIDO[15]				One Austrian schilling per year (until 2078).		
	United Nations (UNOV)[16]				One Austrian schilling per year (until 2078).		
Canada	ICAO[17]				75 per cent of rent paid by host country; 25 per cent of rent paid by ICAO. The premises are managed by Public Works and Government Services Canada (PWGSC).		
	Secretariat Convention on Biological Diversity[18]						1996 – 2000 rent paid by host country. Currently US$ 1 million rental subsidy paid by host country. Current lease expires 31 November 2019.

[13] Agreement regarding the seat of the Commission, signed by the Government of Austria and the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization, United Nations, *Treaty Series*, vol. 1998, No. 34224, p. 25.

[14] Agreement between the International Atomic Energy Agency and the Republic of Austria regarding the Headquarters Seat of the International Atomic Energy Agency at the Vienna International Centre (INFCIRC/15/Rev.1/Add.1), which entered into force on 1 October 1981.

[15] Agreement between the Republic of Austria and the United Nations Industrial Development Organization regarding the headquarters of the United Nations Industrial Development Organization (29 November 1995).

[16] Interview conducted.

[17] Response to JIU questionnaire distributed to inform the present report, and additional written response.

[18] Response to JIU questionnaire.

Host Country	Organization	Land			Premises		
		Host country	Organization	Private	Host country	Organization	Private
Chile	United Nations (ECLAC)[19]					Owns premises.	
Ethiopia	United Nations (ECA)[20]	Provided land (plus two additional plots later).			Provided Africa Hall.	Owns premises.	
France	UNESCO[21]	Land provided at symbolic rent.			Interest-free and low-interest loans provided for construction of two premises.		
Germany	UNDP (UNV)[22]				Provided premises rent free.		
	Secretariat United Nations Framework Convention on Climate Change[23]				(See UNDP (UNV))		
	Secretariat Convention to Combat Desertification[24]				(See UNDP (UNV).)		
Italy	FAO[25]				Symbolic rent of one euro per year.		
	WFP[26]				Host country pays rent.		

[19] Capital master plan: report of the Secretary-General (A/55/117/Add.1 of 13 December 2000).
[20] Response to JIU questionnaire.
[21] Ibid.
[22] The Agreement between the United Nations and the Government of the Federal Republic of Germany concerning the Occupancy and Use of the United Nations Premises in Bonn (concluded on 13 February 1996) and response to JIU questionnaire.
[23] Ibid.
[24] Ibid.
[25] Response to JIU questionnaire.
[26] Ibid.

Host Country	Organization	Land			Premises		
		Host country	Organization	Private	Host country	Organization	Private
Jordan	United Nations (UNRWA)[27]	Jordan provided land in Amman.				Premises constructed by UNRWA.	
Kenya	UNEP[28]	140 acres provided to United Nations.				Constructed premises.	
	UN-Habitat[29]	(See UNEP.)				(See UNEP.)	
	United Nations (UNON)[30]	(See UNEP.)				(See UNEP.)	
Lebanon	United Nations (ESCWA)[31]				Premises provided rent-free.		
Spain	UNWTO[32] (World Tourism)				Premises provided for symbolic rent of one euro per year.		

[27] Response to JIU questionnaire and additional written response.
[28] Capital master plan: report of the Secretary-General (A/55/117/Add.1 of 13 December 2000) and results of interview.
[29] Ibid.
[30] Ibid.
[31] Response to JIU questionnaire.
[32] Ibid.

Host Country	Organization	Land			Premises		
		Host country	Organization	Private	Host country	Organization	Private
Switzerland	ILO[33]		Owns land.			Owns premises (Sw F 100 million interest-bearing loan from host country – later became interest free).	
	ITU[34]	Provided land.				Host country (through Property Foundation for International Organizations (FIPOI)[35]) provided interest-free loan.	
	United Nations (OHCHR)[36]				Provided at subsidized rent (Sw F 250 per square metre).		
	UNHCR[37]				Provided at preferential rate (by FIPOI).		
	United Nations (UNOG)[38]	Some land owned by Canton of Geneva.	Owns most of the land.			Owns premises.	
	UPU[39]				Interest-bearing loan provided, currently interest-free and extended until 2030.		
	WHO[40]	Indefinite use of land.			Interest-free loan provided for construction. Additional building - FIPOI loan.		
	WIPO[41]		Land for new building funded by WIPO.		Original headquarters building provided by host country. Current headquarters building – FIPOI interest-free loan.		
	WMO[42]	Indefinite use of land.			Interest-free loan from FIPOI for 75 per cent of construction cost.	Provided 25 per cent of construction cost (remaining 75 per cent from FIPOI loan).	

[33] Results of interview and op. cit. at note 18.
[34] Results of interview and op. cit. at note 18.
[35] Fondation des immeubles pour les organisations internationales (Building Foundation for International Organizations).
[36] Op. cit. at note 18 and results of interview.
[37] Results of interview and op. cit. at note 18.
[38] Ibid.
[39] Results of interview.
[40] Results of interview and op. cit. at note 18.
[41] Ibid.
[42] Ibid.

Host Country	Organization	Land			Premises		
		Host country	Organization	Private	Host country	Organization	Private
Thailand	United Nations (ESCAP)[43]	Land owned by host country and leased to the United Nations at a nominal rate of 1 baht per annum (lease agreement dated 26 January 1985).				United Nations funded construction of premises.	
United Kingdom	IMO[44]				Purpose-built and rented to IMO (currently lower than market rate).		
United States	United Nations Headquarters[45]	UNDC1[46] and UNDC2.		Gift from John D. Rockefeller Jnr. for headquarters site (valued at US$ 72.6 million in 2000).	Interest-free loan for construction of headquarters premises (valued at US$ 499.2 million in year 2000). UNDC-1 and UNDC-2.		Gift from Ford Foundation for the construction of the library (valued at US$ 37.3 million in 2000).
	UNDP[47]				5 – 6 premises rented from UNDC at close to market rate.		
	UNFPA[48]						Private rental at close to market rate.
	UNICEF[49]				UNDC3.		Rental at close to market rate. In 2026 UNICEF will acquire premises for US$ 1.00.

[43] Response to JIU questionnaire and additional written response.
[44] Headquarters Building Refurbishment Revised proposals: Note by the United Kingdom, International Maritime Organization, 20 June 2005 (C94/WP.1) and interview.
[45] Capital master plan: report of the Secretary-General (A/55/117 of 28 June 2000) and Capital master plan: business analysis on the possibility of constructing a new permanent building on the North Lawn: report of the Secretary-General (A/60/874 of 5 June 2006).
[46] The United Nations Development Corporation, a public benefit corporation of the State of New York, specifically established to facilitate more favourable rental rates for the United Nations organizations in New York (from written response of United Nations Headquarters).
[47] Results of interview.
[48] Ibid.
[49] Ibid.

Host	Organization	Land			Premises		
		Host	Organization	Private	Host	Organization	Private
Occupied Palestinian Territory	United Nations (UNRWA)[36]	The Palestinian Authority provided land in Gaza.				Premises constructed by UNRWA.	

[36] Response to JIU questionnaire and additional written response.

Annex II

FACILITIES PROVIDED FOR THE MAINTENANCE AND REFURBISHMENT/ RENOVATION OF HEADQUARTERS PREMISES OF UNITED NATIONS SYSTEM ORGANIZATIONS

Host Country	Organization	Maintenance			Refurbishment/renovation/major repairs		
		Host country	Organization	Private	Host country	Organization	Private
Austria	CTBTO[50]				Major repairs and replacements shared 50 per cent by host country and 50 per cent by VBOs (IAEA, UN (UNOV), UNIDO, CTBTO). All other refurbishments and alterations to be financed solely by VBOs		
	IAEA[52]				(See CTBTO.)		
	UNIDO[53]				(See CTBTO.)		
	United Nations (UNOV)[54]				(See CTBTO.)		
Canada	ICAO[55]	Canada and ICAO share the cost of operations and maintenance at a 75 per cent to 25 per cent ratio respectively (including costs related to security). The premises are managed by Public Works and Government Services Canada (PWGSC).					
	Secretariat Convention on Biological Diversity[56]	Host country provides lump-sum subsidy.			Host country provides lump-sum subsidy.		

[51] Agreement regarding the seat of the Commission, op. cit. at note 12.

[52] Agreement between the International Atomic Energy Agency, the United Nations and the Republic of Austria regarding the establishment and administration of a common fund for financing major repairs and replacements at their Headquarters Seats at the Vienna International Centre (INFCIRC/15/Rev.1/Add.1), which entered into force on 1 January 1981.

[53] Agreement between the Republic of Austria and the United Nations Industrial Development Organization regarding the headquarters of the United Nations Industrial Development Organization (29 November 1995).

[54] Results of interview.

[55] Response to JIU questionnaire and additional written response.

[56] Response to JIU questionnaire.

Host Country	Organization	Maintenance			Refurbishment/renovation/major repairs		
		Host country	Organization	Private	Host country	Organization	Private
Chile	United Nations (ECLAC)[57]		Host country does not participate in maintaining premises.			Host country does not participate in maintaining premises.	
Ethiopia	United Nations (ECA)[58]		All costs related to major maintenance, repairs or new construction are borne by the United Nations.			All costs related to major maintenance, repairs or new construction are borne by the United Nations.	
France	UNESCO[59]		The organization covers maintenance costs.		Provided US$ 4 million (phase I). Guarantees and pays interest on 80 million euro loan (phase II).		
Germany	UNDP (UNV)[60]	Cost-sharing arrangement for repairs and maintenance.			Major repairs costing between 500 and 50,000 euros. Premises newly refurbished by host country.		
	Secretariat Framework Convention on Climate Change[61]	(See UNDP (UNV).)			(See UNDP (UNV).)		
	Secretariat Convention to Combat Desertification[62]	(See UNDP (UNV).)			(See UNDP (UNV).)		
Italy	FAO[63]		Responsible for upkeep.		Major repairs and refurbishments.		
	WFP[64]			Landlord responsible for repairs and maintenance.	Host country. (Cost of refurbishment to be reimbursed by the host country in 2003-2005 was 1,990,111 euros.)		

[57] Op. cit. at note 18.
[58] Response to JIU questionnaire.
[59] Ibid.
[60] See the Agreement between the United Nations and the Government of the Federal Republic of Germany concerning the Occupancy and Use of the United Nations Premises in Bonn (concluded on 13 February 1996) and response to JIU questionnaire.
[61] Ibid.
[62] Ibid.
[63] Response to JIU questionnaire.
[64] Ibid.

Host Country	Organization	Maintenance			Renovation /refurbishment/major repairs		
		Host country	Organization	Private	Host country	Organization	Private
Jordan	United Nations (UNRWA)[65]		The organization covers maintenance costs.			The organization covers maintenance costs.	
Kenya	UNEP[66]		The host country does not contribute towards the maintenance of the premises.				
	UN-Habitat[67]		(See UNEP.)				
	United Nations (UNON)[68]		(See UNEP.)				
Lebanon	United Nations (ESCWA)[69]	Major maintenance.			Major repairs and replacements.		
Spain	UNWTO[70] (World Tourism)		UNWTO pays for minor maintenance and upkeep (informal agreement with host country).		Host country pays for major repairs (informal agreement).		

[65] Response to JIU questionnaire and additional written response.
[66] Op. cit. at note 18 and results of interview.
[67] Ibid.
[68] Ibid.
[69] Response to JIU questionnaire.
[70] Ibid.

Host Country	Organization	Maintenance			Renovation /refurbishment/major repairs		
		Host country	Organization	Private	Host country	Organization	Private
Switzerland	ILO[71]					Building accommodation fund for major renovations.	
	ITU[72]					ITU responsible for renovations and alterations.	
	United Nations (OHCHR)[73]	Responsible for maintenance.					
	UNHCR[74]		Funds reserve for major maintenance.				
	United Nations (UNOG)[75]		Responsible for maintenance.				Some rooms refurbished by Member States.
	UPU[76]						
	WHO[77]		Responsible for maintenance.			Real estate fund.	
	WIPO[78]		Responsible for maintenance.			1988 renovations: FIPOI interest-free loan - other renovations funded by WIPO.	
	WMO[79]		Fund established for maintenance.				

[71] Results of interview and op. cit. at note 18.
[72] Results of interview and additional written response.
[73] Op. cit. at note 18 and results of interview.
[74] Results of interview and op. cit. at note 18.
[75] Ibid.
[76] Results of interview.
[77] Results of interview and op. cit. at note 18.
[78] Ibid.
[79] Ibid.

Host Country	Organization	Maintenance			Renovation /refurbishment/major repairs		
		Host country	Organization	Private	Host country	Organization	Private
Thailand	United Nations (ESCAP)[80]					United Nations provides for maintenance of premises.	
United Kingdom	IMO[81]	80 per cent by host country.	20 per cent by IMO.		Original cost-sharing arrangement 80 per cent by host country, 20 per cent by IMO. Current refurbishment arrangement 90 per cent by host country 10 per cent by IMO.		
United States	United Nations Headquarters[82]		Organization covers maintenance costs.			Organization covers refurbishment costs.	
	UNDP[83]					Cost of any major repairs/refurbishment is adequately covered from resources available to UNDP on a regular basis.	
	UNFPA[84]		Normal repairs.				
	UNICEF[85]		Organization covers maintenance costs.			Organization covers refurbishment costs.	

Host	Organization	Maintenance			Renovation /refurbishment/major repairs		
		Host	Organization	Private	Host	Organization	Private
Occupied Palestinian Territory	United Nations (UNRWA)[86]		The organization covers maintenance costs.			The organization covers refurbishment costs.	

[80] Response to JIU questionnaire and additional written response.
[81] Results of interview, and "Headquarters Building Refurbishment Revised proposals: Note by the United Kingdom", International Maritime Organization, 20 June 2005 (C94/WP.1).
[82] Capital master plan: report of the Secretary-General (A/55/117 of 28 June 2000).
[83] Results of interview and written response from UNDP.
[84] Results of interview.
[85] Results of interview and written response from UNICEF.
[86] Response to JIU questionnaire and additional written response.

United Nations A/61/695–S/2007/13

General Assembly
Security Council

Distr.: General
11 January 2007

Original: English

General Assembly
Sixty-first session
Agenda item 16
The situation in Afghanistan

Security Council
Sixty-second year

Identical letters dated 10 January 2007 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a letter dated 9 January 2007 from Rangin Dadfar Spanta, Minister for Foreign Affairs of the Islamic Republic of Afghanistan, addressed to the Secretary-General of the United Nations (see annex).

I should be grateful if you circulated the enclosed letter as a document of the General Assembly, under item 16 of the agenda, and of the Security Council.

(Signed) Zahir **Tanin**
Ambassador
Permanent Representative

07-20692 (E) 110107

Annex to the letter dated 10 January 2007 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to draw your attention to the recent announcement of the Islamic Republic of Pakistan concerning its decision to fence and mine parts of its side of the Durand Line.

I take this opportunity to express the grave concern of the people and Government of the Islamic Republic of Afghanistan concerning the aforementioned issue, and to communicate the following:

(a) While expressing gratitude to the Government of the Islamic Republic of Pakistan for its cooperation in combating international terrorism, the Government of Afghanistan is of the firm conviction that in order to effectively combat this scourge, it is ever more important to address the sources that finance, train, arm and recruit terrorists and their ideological centres. To meet this objective, it is imperative that States Members, in particular countries of the region, fulfil their international obligations and implement the relevant resolutions of the Security Council, in particular resolutions 1267 (1999) and 1373 (2001);

(b) Given the manner in which terrorist activities are carried out in Afghanistan, it is evident that the mining and fencing of the border region will not prevent the infiltration of terrorists into Afghanistan's territory, and their subsequent subversive activities;

(c) As one of the countries that has suffered immensely from the planting of landmines during two decades of armed conflict, and despite the efforts of the Government of Afghanistan and its international partners to eliminate this danger, millions of mines and unexploded ordnance remain scattered throughout the country;

(d) Taking into consideration the structure of tribes and family ties among the people residing along the Durand Line, fencing and planting mines will not only separate thousands of families, but will also have unpredictable negative humanitarian implications.

In view of the above, the Islamic Republic of Afghanistan strongly opposes the decision of the Government of the Islamic Republic of Pakistan to fence and mine its side of the Durand Line, as it will not contribute to the fight against terrorism.

As a State party to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Ottawa Convention), the Islamic Republic of Afghanistan calls upon all States to accede to the Convention, and bring about a halt to the production, stockpiling and use of landmines, which cause enormous casualties among innocent civilians.

(*Signed*) Rangin Dadfar **Spanta**
Minister for Foreign Affairs
Islamic Republic of Afghanistan

United Nations A/61/696

General Assembly

Distr.: General
12 January 2007

Original: English

Sixty-first session
Agenda item 17
The situation in the occupied territories of Azerbaijan

Letter dated 20 December 2006 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the pleasure of transmitting to you the report of the environmental assessment mission led by the Organization for Security and Cooperation in Europe (OSCE) to the fire-affected territories in and around the Nagorno-Karabakh region, which was conducted from 2 to 13 October 2006 (see annex).

The mandate of the mission was based on the terms of reference agreed with Armenia and Azerbaijan on 25 September 2006 and confirmed by an exchange of letters between Karel De Gucht, Chairman in Office of OSCE and Minister of Foreign Affairs of Belgium, and the Ministers for Foreign Affairs of Armenia and Azerbaijan.

As specifically agreed, the mandate of the mission was to assess the short-term and long-term impact of the fires of summer 2006 on the environment in the fire-affected territories and to make recommendations on how to counteract any detrimental impact of the fires and on an environmental operation as envisaged by General Assembly resolution 60/285.

I would be grateful if you could circulate the present letter and its annex to the members of the General Assembly under agenda item 17.

(*Signed*) Johan **Verbeke**
Ambassador
Permanent Representative

07-20860 (E) 260107

Annex to the letter dated 20 December 2006 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

OSCE-led Environmental Assessment Mission to fire-affected territories in and around the Nagorno-Karabakh region

Report to the OSCE Chairman-in-Office from the Coordinator of OSCE Economic and Environmental Activities

1. Introduction

During the period of June-September 2006, extended wildland fires affected territories situated close to the Line of Contact (LoC) in and around the Nagorno-Karabakh region. Reports of unusually heavy precipitation during the winter months combined with dry and hot weather in early spring created ideal conditions for the occurrence of early-season fires, characterized by high intensities and fast spread. The fires resulted in environmental and economic damages and threatened human health and security. In some places the lack of adequate equipment and expertise in wildfire suppression did not allow the local population, fire services and security forces to contain the fires. Additional impediments to control the fires included the threat of landmines and unexploded ordnance in the area affected by fires, as well as the general tensions between armed forces along the LoC.

The mandate of the Mission was based on the Terms of Reference agreed with Armenia and Azerbaijan on 25 September 2006, and confirmed by an exchange of letters between the OSCE Chairman-in-Office, Minister of Foreign Affairs of Belgium Karel De Gucht, and the Ministers of Foreign Affairs of Armenia and Azerbaijan. As specifically agreed, the Mandate was to assess the short-term and long-term impact of the fires on the environment in the fire-affected territories, to make recommendations on how to counteract any detrimental impact of the fires and on an environmental operation, as foreseen in the UN General Assembly Resolution A/RES/60/285 "The Situation in the Occupied Territories of Azerbaijan" (September 7, 2006).

Concerns over the impact of the fires in the affected territories also led to discussions in the UN General Assembly resulting in the adoption of the UN General Assembly Resolution. The Resolution takes note of the intention of the Organization for Security and Cooperation in Europe (OSCE) to assess the short-term and long-term impact of the fires on the environment as a step in preparation for the environmental operation. The Resolution stresses the necessity to urgently conduct an environmental operation to suppress fires in the affected territories and to overcome their detrimental consequences. The Resolution calls upon the organizations and programmes of the United Nations system, in particular the United Nations Environmental Programme, in cooperation with the OSCE, to provide all necessary assistance and expertise, including, inter-alia, the assessment of and counteraction to the short- and long-term impact of the environmental degradation of the region, as well as its rehabilitation. The Resolution welcomes the readiness of the parties to cooperate to that end, and considers such an operation to be an important confidence-building measure. The Resolution requests the OSCE Chairman-in-Office to provide a Report on this matter to UN Member States before April 30, 2007.

In fulfilment of the OSCE Mandate based on the Terms of Reference agreed on September 25, 2006 between Armenia and Azerbaijan, I led, in my capacity of Co-ordinator of OSCE Economic and Environmental Activities, the Environmental Assessment Mission ("the Mission") to the fire-affected territories.

The originality of the Mission was that it could draw on the assistance and the expertise not only of international experts but also of local experts appointed by the authorities of the parties in (approximately) equal number. Moreover, all Mission participants benefited of the same security guarantees when visiting both sides of the Line of Contact.

On the international side, the Mission could benefit from the assistance and expertise of:

- Three representatives of the Global Fire Monitoring Center (GFMC), a Center affiliated with the United Nations International Strategy for Disaster Reduction (UNISDR); they became involved as partners of the Joint Environment Unit of the United Nations Environment Programme (UNEP) and the United Nations office for the Co-ordination of the Humanitarian Affairs (OCHA);
- Two representatives from UNEP;
- One Civil Protection Expert, designated by the Council of the European Union (General Secretariat, Civilian Crisis Management Directorate);
- One expert on disaster interventions designated by the European Commission;
- The Executive Secretary of the Council of Europe's "European and Mediterranean Major Hazards Agreement (EUR-OPA)";
- Three representatives of the OSCE Secretariat; and
- Two liaison officers of the Office of the Personal Representative of the OSCE Chairman-in-Office on the Conflict dealt with by the OSCE Minsk Conference (one liaison officer for each side of the Line of Contact).

The Mission could draw from the findings of the "Report on Fires affecting Areas close to the LoC" prepared in July 2006 by the Personal Representative of the OSCE Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference.

The Mission's report is based on the Experts' Technical Report and Documentation drafted by the Global Fire Monitoring Center with inputs from all Mission members, including national and local agencies involved in the preparation, implementation, and reporting of the Mission.

The Mission was supported by a core financial contribution of the Environment and Security Initiative (ENVSEC) whose mandate promotes understanding of the linkages between environmental issues and human security. Further in-kind contributions for the Mission were provided by the Governments of Armenia and Azerbaijan.

2. Brief Narrative of the Mission and Mission Itinerary

The international experts assembled in Baku, Azerbaijan, on 3 October 2006 and took part in a briefing in the Ministry of Foreign Affairs of Azerbaijan. They were received by Mr. Araz Azimov, Deputy Minister of Foreign Affairs, who had invited representatives of all the Azerbaijani Ministries and Agencies involved in the preparation of the Mission. Presentations were provided on the impact of fires as assessed by their respective Ministries and Agencies. A summary of these presentations was provided to the Mission in English and Azerbaijani languages and constituted an important reference for its assessment of the impact of the fires.

On 4 October, the international experts and the local experts nominated by the Azerbaijani authorities, travelled from Baku to Ganja, where they were to be joined by the local experts nominated by the Armenian authorities.

On 5 October, the Mission travelled from Ganja to the southernmost fire affected areas. The Mission met in Horadiz the Head of the Executive Authority of the Fizuli district. Due to their late arrival in Ganja, the experts nominated by the Armenian authorities could not participate in the meeting. However, together with the international experts and the other local experts, they could participate in the first examination and assessment of the fire affected areas at Site 1, near the village of Ashagi Seyidakhmedli. From trenches of the Azerbaijani army, the Mission could observe fire affected areas in the direction of that village, with an abandoned wine-factory as a landmark. In the evening a briefing meeting took place with the Head of the Executive Authority of the Agdzhabedi district.

On 6 October, the Mission returned to the South to observe fire affected areas, mostly pastures, from two sites (Sites 2 and 3) in the Khojavend/Martuni area. A briefing was provided by the Head of the Executive Authority of the Agdam district, who accompanied the Mission to Site 4, near the village of Chemenli, allowing the viewing of fire affected areas, including agricultural land, in the direction of Agdam. At the end of the day, the Mission travelled to Terter, where it received a briefing from the Head of the Executive Authority of the Terter district on fires in that district, including the viewing of a documentary film.

On 7 October, the Mission went back to the Terter district to observe, sometimes at a close distance and sometimes from afar, fire affected areas, and to examine and assess the environmental impact of fires from Sites 5 and 6. In the afternoon the Mission travelled directly to the border between Azerbaijan and Georgia. In the evening, the Mission reached Tbilisi.

On 8 October, the Mission travelled from Tbilisi to Stepanakert/Khankendi, with a stopover in Yerevan.

On 9 October, the international experts and the local experts nominated by the Armenian authorities participated in a briefing meeting with the "Nagorno-Karabakh authorities". These "authorities" provided their views on the fires, stressing how much the fire had been a matter of concern, and the various measures that had been taken. The text of the presentation they gave was made available in Russian and English languages to the Mission and constituted an important reference for its assessment of the impact of the fires.

After this briefing meeting, the entire Mission headed towards the districts of Hadrut and Horadiz to examine fire affected areas. The Mission had a briefing

meeting by the Head of the Administration of Hadrut district. In the afternoon fire affected areas were observed by the Mission, although, for security reasons, the Mission could not observe the same fire affected areas as the ones it had observed from Site 1 on the other side of the Line of Contact.

On 10 October, the Mission travelled to the Agdam district. The Mission could approach the Line of Contact much more closely than the preceding day and see some of the crop and pasture land worst affected by the fires from several sites, including Saybaly.

On 11 October, the Mission visited fire affected areas in the district of Martakert/Agdere. Briefings were provided to the Mission by several heads of local administration as well as by the "Head of the Regional Administration of Martakert/Agdere".

Between 9 and 12 October, the full Mission, including all the local experts, assembled several times to discuss the format and the focus of the report, which would be fully in line with the Mission's mandate.

In the morning of 12 October, the international experts and the local experts nominated by the Government of Azerbaijan left Stepanakert/Khankendi in the direction of Yerevan. After arriving in Yerevan, they were received at the Ministry of Foreign Affairs of the Republic of Armenia for a debriefing session. Officials of the Ministry of Foreign Affairs expressed interest and support for the Mission. With the departure of most of the international experts and the local experts nominated by the Government of Azerbaijan, the field Mission was terminated on 13 October 2006.

3. Assessment

3.1 Conditions that have fostered the fires

As documented in the Experts' Technical Report, information on the occurrence and impact of wildland fires is rather limited in the South Caucasus region. Nevertheless, on the basis of official reports published in both Azerbaijan and Armenia as well as satellite observations and ground evidence, the Mission has concluded that fires have affected the territories on both sides of the Line of Contact in the years before 2006.

The severity of the fires that have taken place in the summer of 2006 was, however, exceptional. Temperature was above the long-term average and rainfall below the norm. As a consequence of the drought conditions, the water volume in the rivers flowing from the Nagorno-Karabakh uplands to the lowlands was also below average.

While hot, dry and windy weather created high fire-danger conditions favourable for the ignition and spread of fires from numerous sources over the whole fire season, the intensity and type of land use also had an influence on fire hazard and size of the wildfires.

According to the reports of the Azerbaijani authorities, the fires affected only to a relatively limited extent the hinterland on the eastern side of the Line of Contact. The main areas affected by fires were located in the vicinity of the Line of Contact and concerned areas closed to public access and/or where agricultural activity had been abandoned due to security risk as well as the no-man's land itself.

On the western side of the Line of Contact, the Mission could observe territories on which tenancy rights have been granted to farmers for agricultural purposes by the "authorities of Nagorno-Karabakh" and that have been visibly affected by fires.

High-resolution satellite images obtained by the Mission reveal that the typical cultivated croplands and pastures are more fragmented east than west of the Line of Contact. With more intensive cultivation, smaller pieces of land and the permanent presence of local population, uncontrolled fires apparently did not spread as easily over large areas in the east as compared to the large complexes of less cultivated lands in the west.

Also in the west, abandoned pasture or cultivated land, including abandoned vineyards, orchards and winter pastureland, provided favourable conditions for the spread of wildfires due both to the larger, non-fragmented size of vegetation units and the accumulation of combustible materials as a consequence of abandonment and vegetation succession in some sites.

Increasing accumulation of combustible materials (fuel load) is also affecting the behaviour and the controllability of wildfires. Accumulated fuels lead to an increase of fire intensity and the rate of spread of wildfires that are more difficult to control as compared to fires burning in vegetation with low fuel loads.

Photographic evidence reveals that abandoned villages and towns were also becoming susceptible to wildfires due to encroachment and accumulation of vegetation. From what the Mission could see, however, the fires that might have reached abandoned villages or towns did not cause significant additional damages to structures that had already suffered from the conflict.

3.2 Fire Causes and Fire Behaviour

While the above conditions provided the prerequisites for the intensity and spread of wildfires, the ignition of fires was most likely due to human causes (there was no report of fires ignited by a lightning storm). Over the summer period, it appears that many different fires started at different places, at different times and for different reasons in the fire affected territories. The most likely causes of fires in the region on both sides of the LoC included:

- traditional burning of post-harvest residuals on croplands (stubble burning); although stubble burning is officially forbidden, it appears to be practiced on both sides of the Line of Contact);
- military activities, in particular shooting incidents where tracer bullets have been used, which may ignite grass under dry conditions;
- accidental ignitions due to imprudence or negligence.

Reports on fire behaviour in the territories close to the Line of Contact and in the mountainous region of Nagorno-Karabakh stated unanimously that the intensity and spread of fires was extremely high and made the control of fires difficult. Warm and dry winds associated with high fuel loads resulted in spot fires which crossed roads, empty irrigation channels and the trenches along the line of contact. Evidence of this extreme fire behaviour was identified by the mission.

An additional factor is related to the particular topographic features in the mountainous terrain of Nagorno-Karabakh: the dominant wind during daytime is

blowing from east to west, i.e. from the plains to the mountains; as a result, fires that originated in the lowlands have been spreading uphill rather fast, the rate of fire spread being directly related to the steepness of the slope. Difficult access and lack of mobile fire fighting equipment were further reasons why the fires in mountainous terrains were extremely difficult to control.

3.3 Extent of the Fires

High-resolution satellite imagery shows that the fires have affected extensive areas along the about 100 km of the line of contact that runs from the Iranian border in the south to the region of Terter in the north (thereafter it turns to the west and joins a mountainous region).

A detailed assessment of what the Mission could observe at specific points on both sides of the line of contact is provided in the Experts' Technical Report and Documentation.

According to the Azerbaijani authorities, in total about 63,000 hectares of land were burned by the fires, including about 9,000 hectares in the Fizuli district, about 15,000 hectares in the Khojavend/Martuni district, about 17,000 hectares in the Agdam district, about 1,000 hectares in the Terter district and 3,000 hectares in Agdere/Martakert district. These estimates include not only areas under various forms of cultivation and pastures but also wild land, which might have valuable flora and fauna.

Different estimates were provided by the "authorities of Nagorno-Karabakh", which state that about 2,000 hectares of grain crops and about 11,000 hectares of pastures were burned. Fire has also burned some forest areas on the slope of the hills although no specific estimates of the areas concerned were provided. More limited areas of vineyards, orchards and mulberry groves have been damaged.

While the Mission was not in a position to verify the exact size of all fire-affected areas in detail, its observations confirm the overall size of burned area as depicted by satellite sensors along the LoC as well as the seriousness of the fires and their significant impact. The Mission noted that areas burned further west of the LoC, in particular in the foothills and in the uplands of Nagorno-Karabakh, were not included in the satellite-based assessments. Thus, the total size of vegetation affected by fire in 2006 in the whole region is considerably larger (size potentially to be determined in a remote sensing study).

3.4 Fire Management Capabilities

The team was not given the opportunity to visit fire-fighting installations east of the LoC. However, in several occasions Azerbaijani representatives emphasized that their means and equipment were up to date and capable of intervening against fires. In their view, the only obstacle was represented by the danger of intervening in areas adjacent to the Line of Contact, due to the possible firing incidents and the threat by minefields and unexploded ordnance.

In Nagorno-Karabakh, the Mission visited several fire stations. This allowed the drawing of a bleak picture of the situation in all stations, with obsolete 20-25 years old fire trucks of Soviet Union origin and equally obsolete equipment.

An aggravating factor for rapid response to fire is the mountainous terrain of Nagorno-Karabakh with its limited accessibility by fire vehicles. There is also a lack of adequate tools for ground forces, especially a lack of hand tools that are needed in terrain which can be accessed only by walking.

Another source of concern is the scarcity of water to fight fires, due, among others, to the absence of a functioning irrigation system, the deterioration or destruction of artesian wells and the lack of agreement and cooperation between authorities on both sides of the LoC on how to manage the scarce existing water resources.

3.5 Fire Impact on Ecosystems (vegetation, fauna, biodiversity)

3.5.1 Vegetation

A wide range of ecosystems were visited by the Mission, ranging from intensively cultivated land-use systems (grain fields, vineyards, orchards, etc.) to extensively managed agricultural and pastoral systems.

The degradation of vegetation in the lowlands, the foothills of the mountain edge and the forested or partially forested region in the higher elevations (ca. 400 m above sea level) is the result of the combined effects of long-term alterations, over-utilization of ecosystems, non-sustainable land-use systems as well as the impacts of recurrent fires.

Besides the fire damages to intensively cultivated agro-ecosystems, large areas of pastures and bush lands with remnants of degraded natural vegetation cover have been affected by fire.

The Mission was able to monitor the fresh growth of post-fire grass, herb and shrub vegetation. However, the "green appearance" of fresh post-fire vegetation may lead to wrong conclusions. Re-sprouting of selected fire-adapted or fire-tolerant grasses may go along with successive reduction or elimination of fire sensitive species. This kind of fire-induced or fire-accelerated process of ecosystem and biodiversity impoverishment should be monitored by careful scientific investigations.

3.5.2 Soil cover

Most striking is the visible effect of post-fire soil denudation. As was pointed out in the report by the Azerbaijani authorities, the destruction of the humus layers, exposing the soil to the mechanical affects of rain and wind erosion as well as to the effects of trampling by cattle will certainly lead to a loss of fertility and an overall loss of topsoil.

3.5.3 Biodiversity

The impact of fire on biodiversity – in the long run – can be considered detrimental. Although it is known that certain insect and reptile species are promoted by fire effects (through the creation of open habitats by fire), the denudation of large tracts of land from shrub, bush, herb and tree cover is considered a severe loss of plant diversity, and indirectly also of diversity of fauna. There is a threat that fires would penetrate fire-sensitive mountain broadleaved forests – a phenomenon that has been observed by the Mission in Nagorno-Karabakh.

3.6 Fire Impact on Economy, Human Livelihoods and Well-Being

Information provided by the "authorities of Nagorno-Karabakh" and by media from Azerbaijan include some figures on economic damages caused by the fires. In Nagorno-Karabakh, the economic damages were assessed to be in the magnitude of 3.5 billion Armenian Drams (about $US 9 million). The Head of the Administration of Terter district reported that 10,548 families had been affected by the fires. A press report from Azerbaijan provided a damage assessment of 7.5 million New Azerbaijani Manats (about $US 8.6 million).

Personal losses of farmers included: loss of crops destroyed by fire; expected losses due to the large-scale burning of winter pastures; and losses of crops or costs for rodenticides inflicted by reported massive migration of rodents from burned lands to agricultural as well as inhabited lands. These losses could be quite high in individual cases.

No assessments were made by the authorities to quantify the economic damages as a consequence of ecosystem degradation.

3.7 Fire Impact on Human Health and Security

General human health hazard was reported from several locations on extended smoke cover originating in the regions affected by fire. Local military commanders confirmed reduced visibility due to long-lasting smoke pollution episodes between June and September. The Head of the Administration of the Agdzhabedi district confirmed that the health of people with chronic asthma and cardiovascular diseases and elderly people was affected by smoke pollution.

The threat of human health by smoke pollution from vegetation fires is often not noted and thus undervalued. It is a well-known fact that the above-mentioned groups of elderly people affected by chronic diseases and children are most vulnerable to fire smoke pollution. Inhaled fine soot particles are considered a cause of lung cancer.

In the military conflict zone, the wildfires involved additional threats of human security. Most important is the threat of fire-triggered explosions of land mines and unexploded ordnances (UXOs). Mines and UXOs exploding during wildfires have been reported repeatedly and have restricted the use of ground forces to suppress fires in these critical zones.

Cases of fire trucks hit by bullets have been reported in the Terter district as well as in Nagorno-Karabakh. The Mission could see traces of bullets on two fire trucks in Nagorno-Karabakh.

The Heads of the Administration of Terter and Agdzhabedi districts reported an increase of snakebites, with about 48 people treated in hospitals. Locally it was stressed repeatedly that this phenomenon was a consequence of the migration of snakes (as well as rodents) driven by fire out of the nutrition-depleted burned areas.

3.8 Fire impact on atmosphere and climate

During the public discussion of the fire effects on the environment it was repeatedly stressed that the fires would have negative impacts on the composition and functioning of the atmosphere and would contribute to climate change.

In comparison with the emissions generated globally by vegetation fires burning (ca. 200 to 350 million hectares per year), the emissions released from a total area burned in the region in the magnitude of up to 63,000 hectares account for a very small share in total emissions.

However, the fact that repeated wildfires – in combination with land-use change – are contributing to the depletion of the natural vegetation cover is a reason for serious concern. The medium- to long-term consequences of repeated fires are creeping but steadily increasing and result in the depletion of forest and other woody and shrubby vegetation. This vegetation is not only important from the point of view of biodiversity and soil stability. It constitutes an important pool of terrestrial carbon, which, through the degradation effects of recurrent wildfires, will be irreversibly released in the form of trace gases to the atmosphere, thus successively contributing to an increase of atmospheric carbon and the human-induced global "greenhouse effect".

3.9 Related environmental concerns

A number of environmental problems arising from land use, land-use change and the influence of climate variability and uncontrolled processes such as wildfires are inter-related or interacting. Areas depleted of woody vegetation cover by fuel wood cutting, excessive logging or overgrazing are becoming increasingly susceptible to fire, especially in extreme drought periods.

During the Soviet period, the land-use system in the lowlands of Azerbaijan east of the Lesser Caucasus Mountains has been largely modified by intensive irrigation. Most of the irrigation infrastructure built during the Soviet period, however, is now in poor condition as result, among others, of inadequate public investment and maintenance over the last 15 years. As a result, irrigation use is experiencing a steady decline.

Furthermore, as a consequence of the conflict, the territories east of the foothills of Nagorno-Karabakh have been cut off from water supply from the mountains, notably from the Sarsang water reservoir. The Sarsang water reservoir was put into commission in 1976. According to the report provided by Azerbaijani authorities to the Mission, the capacity of the reservoir amounts to 565 million cubic meters. Prior to the conflict the reservoir used to provide water for irrigation of 100,000 hectares of lands both east and west of the LoC. The majority of the irrigation infrastructure was either destroyed during the fighting or degraded in the years after the military operations.

Before the armed conflict the irrigation canals were used for water collection for fire-suppression and served also as natural barriers for fire expansion. The degradation of water canals and the overall desiccation of the lowlands around the LoC allowed spotting fires to cross empty irrigation canals.

4. Recommendations

The Mission has been tasked to make recommendations on how to counteract any detrimental impacts of the fires and on an environmental operation as stated in the Mandate. The recommendations of the Mission consist in the implementation of a number of complementary actions or projects, in particular:

I. Short-term Initiatives

- Technical Meeting on Mission Report
- Fire Management Technologies and Planning
- Water Resources Management Workshop

II. Medium- to Long-term Initiatives

- Rehabilitation, including Reforestation, of Lands Affected by the Fires;
- Capacity Building, whenever possible on a joint basis between entities on both sides of the LoC, in three key areas:
  - Fire Management Planning;
  - Fire Prevention and Preparedness, and
  - Fire Suppression
- Modernization of Equipment
- Joint Fire Research
- Regional Co-operation in Fire Management, Water Management and related Environmental Measures.

These recommendations are aimed primarily at the relevant authorities of Azerbaijan and in Nagorno-Karabakh. However, the OSCE, the UN system and its partners, notably the United Nations Environment Programme (UNEP), the UNEP-OCHA Joint Environment Unit, the Global Fire Monitoring Center (GFMC) and the Global Wildland Fire Network (both affiliated with the UN International Strategy for Disaster Reduction–UNISDR) as well as bilateral and multilateral donors, are also invited to swiftly respond to the recommendations and provide support to their implementation in accordance with the needs highlighted in this report and the requests unanimously formulated by the members of the Mission nominated by the Azerbaijani and the Armenian authorities.

Besides rehabilitation of lands affected by fires, the overall aim of the recommended measures is to reduce the occurrence and impacts of wildfires in the future. Measures of an integrated character are also recommended such as the restoration of abandoned water supply and irrigation systems of which local populations and economies as well as fire management will benefit.

All recommended actions should be embedded, at local, regional and national level, into policy frameworks that ensure sustainability, in particular as concerns:

- land use (agriculture, pastoralism, forestry)
- water management
- nature/biodiversity protection

- combat of desertification
- greenhouse gas reduction/carbon sequestration
- human health and security
- poverty alleviation

Consultative processes to define more precisely the packages of measures recommended and projects to realize them should have a multi-stakeholder nature and include dialogue between authorities on both sides of the LoC since the policies, measures and projects will address problems that are not restricted to administrative or political boundaries or to the LoC.

Many of the following recommended actions could be further elaborated and implemented under the auspices of the OSCE and, where appropriate, in the framework of the Environment and Security Initiative (ENVSEC).

4.1 Short-term initiatives

The Mission believes that it is extremely important to immediately build upon the goodwill that was created by the Mission, involving local experts from both sides of the LoC. With highest priority, three capacity-building and information exchange meetings at the regional level should be conducted. These meetings together would serve, first and foremost, to allow the concerned parties to prioritize interests and actions based on the findings of the Mission Report. Furthermore, these workshops would help mobilize local, national, regional, and international instruments and resources prior to the beginning of the summer fire season in 2007. The meetings would benefit from the inclusion of the countries of the South Caucasus and adjoining regions that are faced with similar problems, and have developed capacities and are willing to share experience in fire management.

4.1.1 Technical Meeting on Mission Report

The findings of the Mission Report should be discussed at a technical-level meeting as soon as possible as a follow-up to the environmental assessment mission. A confidence-building process would benefit from an immediate follow-up discussion of some of the details and recommendations provided in the Report with those affected and concerned, first and foremost, with the local experts participating in the Mission and additional governmental representatives, as well as representatives from academia and civil society.

The Technical Meeting will serve to prioritize and agree upon technically needed and feasible actions to enhance local capacities in the short-term and also elaborate upon the feasibility of the broader recommendations.

Such a meeting could be organized under the auspices of the OSCE with the participation of local and international experts, and potentially within the framework of the Environment and Security Initiative (ENVSEC).

4.1.2 Fire Management Technologies and Planning

A fire management workshop should be organised, aimed at providing basic knowledge and tools for decision makers of administrations as a foundation for targeted and specific planning of fire management measures.

The fire management workshop would (a) provide the technical and scientific information that decision makers require for assessing local and national gaps and requirements for fire management planning, and (b) based on the finding of the Experts' Technical Report and Documentation drafted by the GFMC, elaborate on the draft proposed investment plan indicated in the Experts' Technical Report.

This workshop could be conducted as an activity of the enlarged UNISDR Regional South East European/Caucasus Wildland Fire Network. The network is coordinated by the University of Skopje, FYR of Macedonia, and is a regional activity of the Global Wildland Fire Network. These networks are an outreach programme of the UNISDR, coordinated by the GFMC. The joint participation of experts from Southern Europe as well as from the South Caucasus would provide an excellent opportunity for regional cooperation in fire management. An initial proposal presented by the GFMC to the Council of Europe in June 2006 was based on the lessons learned of confidence-building measures in the Balkan region and between Turkey and Georgia.

The Mission recommends that the Workshop be conducted as soon as possible (ca. February-March 2007).

Following the fire management workshop, experts from the region would have the further opportunity to participate in the already scheduled session of the UNISDR Regional South Eastern European/Caucasus Wildland Fire Network and the plenary meeting of the Global Wildland Fire Network at the upcoming 4th International Wildland Fire Conference (Sevilla, Spain, 13-17 May 2007).

In this conference all Regional Wildland Fire Networks of the Global Wildland Fire Network will meet and are expected to adopt, among others, the Fire Management Code (an international voluntary code of ethics and conduct currently prepared under the auspices of UN-FAO). The latter instrument would be a high priority item to be discussed as an internationally accepted guide towards cooperation and confidence building. It would be extremely important to support the participation of experts of the South Caucasus region in the Sevilla conference in order to ensure their understanding, acceptance and implementation of the Fire Management Code.

Both workshops could be sponsored by the OSCE and the UNEP for all participants of SE Europe and the South Caucasus as a broader measure of confidence and stability building in the region.

4.1.3 Water Resources Management Workshop

Given the high priority of cooperation in water resources management along the LoC, the Mission proposes that a workshop be organized as soon as possible in the beginning of 2007, aimed at defining how the process of restoration of the transboundary water management system across the LoC could be initiated and to address related urgent issues in the areas of nature conservation and sustainable forest management.

Such an initial workshop could take place under the auspices of the OSCE in the framework of ENVSEC, and with the further expertise of the United Nations Environment Program.

All pre-existing material on water management, particularly as concerns the Sarsang reservoir and the use of the Terter river water, should be urgently collected by the

ENVSEC partner organizations as a preparation for this workshop, including proposals formulated in 2001 by the Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference.

Furthermore, following on the example of the Mission, a second Mission, involving both international and local experts dealing with water management issues, could undertake joint visits to the sites concerned on both sides of the Line of Contact.

4.2 Medium- and Long-Term Initiatives

4.2.1 Rehabilitation, including Reforestation, of Lands Affected by Fires

The fire-induced degradation of vegetation, especially in the mountains, must urgently be halted. The development of a medium- to long-term strategy for rehabilitation of fire-affected lands must be prioritized in those sites where vegetation denudation is leading to increasing surface runoff of water, loss of topsoil by erosion, loss of fertility and an increase of secondary disasters, e.g. flooding, landslides or mudslides during extreme rainfall events.

There is considerable relevant experience in countries in the Black Sea and Eastern Mediterranean regions. In these regions large tracts of lands, on which forests and other woody vegetation had been destroyed by fire, are now being reforested or otherwise rehabilitated, using rehabilitation methods and technologies that ensure the stabilization of slopes, the selection of reforestation species (or other species to be planted or seeded) that will cope with the extreme environmental stresses in the region, notably drought.

A priority of rehabilitation will be the restoration of burned sites in watersheds/water catchment areas (e.g. around reservoirs) that are threatened by degradation-induced loss of water holding capacity or siltation (deposition and accumulation of land-based soils and sediments).

It must be noted that restoration of fire-damaged vegetation should be implemented only if efficient fire management capabilities will be in place and secure the protection of rehabilitation investments from uncontrolled fires.

The expertise available in the above-mentioned regions could be utilized to develop appropriate rehabilitation plans.

4.2.2 Capacity Building

(i) Capacity Building in Fire Management Planning

Fire management planning is essential to develop coordinated operational fire management structures and plans at local, regional and national levels. The inter-sectoral nature of the fire issue will require the inputs of all stakeholders concerned for the development of a coordinated strategic approach (which will also include regional cooperation). The upgrading of the existing fire strategy and fire management plans will require, among others:

- Review of legislation, regulations concerning national, regional and local institutional arrangements and responsibilities, including inter-agency cooperation
- Review of the implementation of laws and regulations/law enforcement related to the use and control of natural resources and fire

- Definition of gaps/shortcomings for further development
- Definition of responsibilities for fire management planning, fire risk assessment (identification and classification of risk areas and zones), reporting and evaluation
- Definition of the role of civil society in fire management

Considerable experience in the development of national fire management plans, guidelines and strategies is available in countries of neighbouring regions, e.g. in Eastern Europe. For instance, in preparation of EU membership, Bulgaria developed a national fire management strategy and procedures for regional and national fire management planning. Hungary developed advanced methods of fire risk assessment as a basis for fire management planning.

In the preparatory stage of their application to the EU, Hungary and Bulgaria were supported by so-called "Twinning" projects which enabled them to build capacities in fire management planning. The experience gained in this process would be available for use in other countries, e.g. in capacity building of leaders of fire services and other agencies in charge of planning and implementation of fire prevention and control. Joint training courses could be organised for representatives of agencies and local administrations from both sides of the Line of Contact.

(ii) Capacity Building in Fire Prevention and Preparedness

Fire prevention is a key for reducing the incidence of wildfires in the region. Since in the South Caucasus region the vast majority of fires are started by humans, capacity building in fire prevention and preparedness is essential. A number of areas need to be addressed, ranging from the involvement of civil society (community involvement in fire prevention, role of NGOs in awareness rising) to the application of advanced technologies. Joint training courses for representatives of agencies and local administrations from both sides of the LoC, as well as from other parts of the South Caucasus and South Eastern Europe, would include the development of national and local capabilities in:

- Fire early warning and fire danger rating;
- Fire detection, reporting and monitoring procedures and systems; and
- Public education and awareness building, involving civil society, including Community-Based Fire Management (CBFiM)

Wildland fire early warning systems, that have been developed by a number of European countries, the EU and neighbouring Russian Federation, are available for adaptation and local use in the South Caucasus region. The Global Fire Monitoring Center and its partners are available to provide relevant technical and scientific advice for technology transfer to the South Caucasus.

(iii) Capacity Building in Fire Suppression

Capacity building in fire suppression should have the highest priority. It must be linked closely with decisions made on the respective roles of agencies and civil society in fire management. In CIS countries and most neighbouring states, the fire services are in charge of fire suppression, often assisted by civil protection services or the military. This personnel is often not sufficiently trained and equipped to respond to wildfires burning in the remote areas and under extreme conditions. Special training packages are available that could be adapted to regional conditions and used to train fire services and other responsible personnel in:

- Wildland fire basics (fire behaviour, fire effects)
- Use of specialized equipment for wildland fire suppression (hand tools, small portable equipment), firefighting tactics;
- Inter-agency coordination; and
- Fire safety for fire personnel and civil population

New approaches in Community-Based Fire Management (CBFiM) would enable local communities to respond directly and swiftly to fire before fire service personnel or other authorities would arrive on the scene.

Capacity building, including training of trainers of fire services on both sides of the LoC would have priority in order to cover the areas of highest fire risk in the region.

Joint training would be an essential activity of confidence building in the region.

The region might draw on the experience of capacity and confidence building in the Balkan region. Between 2002 and 2005 two major multinational forest fire suppression exercises were organized in order to improve the cooperation between countries that had been in conflict before. The last exercise, the "Eastern European, Near East and Central Asian States Exercise on Wildland Fire Information and Resources Exchange - EASTEX FIRE 2005", was conducted in Bulgaria in 2005 to exercise international cooperation in managing a large-scale forest fire disaster that would require a multilateral response (cooperation of ground and aerial fire fighting forces of countries of the Eastern Mediterranean, Balkan and adjoining regions of the Near East and Central Asia). The exercise revealed the high potential and political significance of cooperation in the Balkan region and adjoining countries.

Regional training in fire suppression is invited to take advantage of the EUROFIRE project, funded by the European Commission and aimed at designing wildland fire management training materials for European fires services under the auspices of the GFMC and the International Association of Fire and Rescue Services (CTIF).

4.2.3 Modernization of equipment

Fire suppression in the region, particularly in Nagorno-Karabakh, is largely based on equipment, standards and training inherited from the former Soviet Union. The fire services are responsible for wildland fire fighting. Their equipment, however, is inadequate and obsolete. Fire truck models ZIL 130, ZIL 131, GAZ 53 and GAZ 66 are primarily designed for fighting of structural fires and may operate on flat and stable terrain only. Improvised hand tools do not meet the requirements of efficient

use in wildland fire suppression. Personal protective equipment is designed for fighting structural fires.

These inappropriate and outdated materials should urgently be replaced by specialized hand tools and mechanized equipment for off-road conditions, especially for the use in steep mountain terrain of Nagorno-Karabakh.

Priority should be given to equip highly mobile and flexible units for initial attack of fires, both for professionals and for local people (volunteers/civil population of villages). Personal protective equipment should secure the protection of professional and civilian wildland firefighters.

Personal protective equipment and hand tools for rural firefighting would include:

- Fire-safe clothing (light shirts, pants, helmet, gloves, goggles and boots)
- Fire shovels, rakes, cutting/scraping tools, axes
- Backpack pumps

Fire fighting vehicles with off-road capability and manoeuvrability on steep terrain would be needed to enable access of firefighting personnel, water and equipment to remote areas.

Conditionally, if a solid peace is established, the use of airborne assets for aerial fire suppression (helicopters with helibuckets, fixed-wing land and sea planes) would be a next step of upgrading the fire fighting capabilities. However, this should be envisaged only once efficient wildland fire fighting capabilities on the ground have been established. Aerial fire fighting would facilitate the control of fires burning on minefields and terrain contaminated by UXOs. Fires burning in mountainous terrain might be accessed faster by personnel transported by helicopter. Aerial fire suppression on steep and remote terrain would support ground operations.

The priorities of investments, however, should be determined in accordance with the progress of capacity building of ground-based fire management and availability of financial resources.

4.2.4 Joint fire research

There is a lack of fundamental knowledge about the response and recovery of flora and fauna in the South Caucasus region. A post-Mission evaluation of international state-of-knowledge in regional fire science revealed incomplete information on the fire ecology of the region.

The development of dedicated fire research projects would be imperative to explore the specific and yet unknown response of ecosystems and species to fire and the appropriate measures of rehabilitation of burned areas. Such a project would benefit from international support if implemented jointly between the universities located in the South Caucasus. This should include a university or an institute based in Nagorno-Karabakh.

The projects or a targeted programme could be supported by capacity building in fire research methodologies. Cooperation with specialized university researchers from the neighbouring countries should be envisaged, e.g. through the representatives of the academia of the UNISDR Regional South Eastern Europe/ Caucasus Wildland Fire Network. The Universities of Skopje (FYR of Macedonia),

Thessaloniki (Greece) and Trabzon (Turkey) are represented in the network and should be approached to support cooperative research activities. The Soil Science Faculty, Lomonosov Moscow State University, Russian Federation, may offer advice in the rehabilitation of drained peat lands affected by fire. The United Nations University (UNU) through the Global Fire Monitoring Center, its associate institute of the UNU Institute for Environment and Human Security (UNU-EHS) could also be approached.

4.2.5 Regional cooperation in fire management, water management and related environmental measures

Regional cooperation along the LoC is a key prerequisite for the reduction of the risk of fire incidents, reduction of wildfire hazard, response and efficiency of fire suppression and, most importantly, confidence-building.

It is self-evident that wildland fires are related to wider environmental issues and, in this respect, there is a need for more cooperation in the field of environment. According to the findings o the Mission, one of the highest priorities is the issue of water and irrigation, in particular the Sarsang-Tertar complex. Other issues, such as forests, biodiversity, natural resources but also issues of environmental governance should be addressed.

(i) Enhanced Communication and Cooperation along the Line of Contact including the Establishment of a Working Table of Experts

The control of the lands along the LoC by the armed forces makes an involvement of the armed forces in the prevention and control of fires imperative. Under the guidance of the Personal Representative of the OSCE Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference, the armed forces on both sides of the LoC should be encouraged to work out an agreement, procedures and technical tools for communication and cooperation between military units on both sides of the LoC. An agreement could include procedures for exchanging information on fires (detection, monitoring) and suppression of LoC-crossing fires. An agreement could envisage, among other things, the safety of both parties' firefighters when intervening in areas adjacent to the line of contact and mutual warning in case of fires.

The Mission initiated a dialogue between the sides at experts' level. In this respect, and in order not to lose the momentum, it would be important to envisage ways of keeping the dialogue alive. This could be done by establishing a permanent Working Table of Experts, under the guidance of the OSCE (the Personal Representative of the OSCE Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference) or another relevant international organization. The Working Table would discuss common problems, define common objective, work out procedures and methods of co-operation particularly in fire prevention and preparedness, as well as fire suppression and follow the implementation of agreed measures.

(iii) Co-operation towards Rehabilitation of Water Infrastructure and Enhanced Water Management

The need for the reconstruction of the water supply system in the areas around the LoC has been mentioned above. It is obvious that all parties would benefit from a restored water supply system. From the point of view of the prevention of wildfire spread and fire suppression a restored irrigation system with functioning infrastructures and the restoration of artesian wells would greatly improve the situation. The authorities of Azerbaijan and in "Nagorno-Karabakh" met by the Mission both underscored their willingness for cooperation in this regards.

All stakeholders in the region concerned would benefit from a dialogue to be initiated with the goal to restore the supply of water from the Sarsang and Khachen reservoirs to the lowlands on both sides of the LoC, to restore water canals and irrigation systems and to rehabilitate artesian wells and other water infrastructure on both sides of the LoC, aimed at improving water supply for agriculture, drinking water and water required for fire suppression.

Co-operation in this area could take place under the auspices of the OSCE in the framework of the Environment and Security (ENVSEC) Initiative.

6. Conclusions

- The fact that the Mission took place, essentially according to the itinerary determined throughout consultations at the OSCE in Vienna, and the fact that the Mission benefited from the presence and the very constructive contributions, on both sides of the Line of Contact, of the local experts appointed by the parties were already in themselves a success. It created goodwill, on the basis of which the Mission now proposes further measures of a confidence building nature consisting of initial high-priority and swiftly achievable steps followed by medium- and longer-term measures. These measures, taken as components or in an overall package, constitute the environmental operation as foreseen by the Mandate.

- All experts and authorities involved in the Mission unanimously agreed that the long, hot and dry fire season of 2006 provided the conditions for the occurrence and large-scale spread of severe fires on both sides of the Line of Contact. The areas burned have been extensive and the impact on people, the economy and the environment significant. On both sides of the Line of Contact, fires have been a matter of great concern and the Mission was told how all available means were used to stop the fires, albeit often unsuccessfully.

- The Mission is making recommendations on how to rehabilitate the fire affected areas. Furthermore, it outlines a series of actions and projects to prevent the recurrence of such fires. **The recommended actions are based on the view that environmental problems, including fires, ignore borders, conflicts and lines of contact and require co-operation of all actors concerned.** The Mission recommends in particular joint capacity building and training in fire management, fire prevention and preparedness and fire suppression as well as regional enhanced co-operation on both fire and water management issues, in relevant regional and international frameworks. Other recommendations relate to modernization of equipment and fire research.

Recommendations are also made for short-term initiatives for which steps should be taken immediately.

- More fundamentally, the Mission hopes to provide through its report a contribution to peace building in a region, where the fires of the 2006 summer have added to the already considerable human, economic and environmental cost of the conflict. The Mission's hope is that, further to its recommendations, fires might be transformed from an additional source of conflict into an opportunity for regional co-operation, confidence building and ultimately reconciliation. The Mission hopes that this opportunity will be seized upon.

United Nations A/61/697–S/2007/18

General Assembly
Security Council

Distr.: General
16 January 2007
English
Original: Arabic

General Assembly
Sixty-first session
Agenda item 13
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 15 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical report of Israeli violations during the period from 8 to 10 January 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

07-21076 (E) 170107 170107

Annex to the identical letters dated 15 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Report

1. At 1130 hours on 8 January 2007 Israeli warplanes overflew the Bent Jbail detachment zone at moderate altitude.

At 1930 hours on the same date Israeli warplanes overflew the Hasbaiya detachment zone at moderate altitude.

At 1930 hours on the same date Israeli warplanes overflew the Tibnine detachment zone at high altitude.

At 2010 hours on the same date Israeli warplanes overflew the Bent Jbail detachment zone at moderate altitude.

2. At 1120 hours on 10 January 2007 Israeli warplanes overflew the Hasbaiya detachment zone at moderate altitude.

At 1200 hours on 9 January 2007 Israeli reconnaissance aircraft overflew the Tyre detachment zone.

For the Director-General of the Internal Security Services
Chief of Staff
(Signed) [*Illegible*]
General Joseph al-Hajel

United Nations A/61/698

General Assembly

Distr.: General
16 January 2007

Original: English

Sixty-first session
Agenda item 21
Question of the Falkland Islands (Malvinas)

Letter dated 15 January 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with instructions received from my Government, I have the honour to refer to the letter dated 3 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Argentina to the United Nations addressed to you (A/61/692), transmitting in the annex thereto the text of a press release issued on 3 January 2007 by the Government of Argentina on the question of the Falkland Islands.

The Government of the United Kingdom of Great Britain and Northern Ireland has no doubts about the sovereignty of the United Kingdom over the Falkland Islands, South Georgia Islands and South Sandwich Islands and their surrounding maritime areas, and rejects the claim by the Government of Argentina to sovereignty over those islands and areas and that the Falkland Islands are under illegal occupation by the United Kingdom.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the General Assembly under agenda item 21.

(*Signed*) Emyr **Jones Parry**

07-21082 (E) 170107